

A. J. SHARP, ESQ.
Nevada Bar No. 11457
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*Attorneys for Defendant
Wal-Mart Stores, Inc.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SHEILA KERR,
Plaintiff,
v.
WAL-MART STORES, INC., DOES I-X and
ROE CORPORATIONS I-X, inclusive,
Defendants.

Case No.: 2:12-cv-00487-GMN-PAL

**DEFENDANT WAL-MART STORES,
INC.'S SUPPLEMENT TO ITS REQUEST
FOR JUDICIAL CONFERENCE
REGARDING DISCOVERY DISPUTE
(DOCKET FILING #20)**

COMES NOW Defendant WAL-MART STORES, INC. ("Walmart"), by and through its counsel of record, A. J. SHARP, ESQ., of the law firm of PHILLIPS, SPALLAS & ANGSTADT LLC, and hereby supplements its request that this Court conduct a judicial conference with counsel regarding Walmart's Interrogatory No. 19, to which Plaintiff Sheila Kerr has declined to respond. *See Docket Filing #20.* This Court has calendared a Hearing regarding that issue at **9:30 a.m. on Tuesday, September 11, 2012.** *Docket Filing #21.*

In addition to the dispute regarding Walmart's Interrogatory, the parties in this matter also disagree about the propriety of a non-Nevada-licensed physician's authorization to conduct an Independent Medical Examination within the State of Nevada. Walmart has retained the services of an out-of-state physician to conduct an Independent Medical Examination in this case. The General Counsel of the Nevada State Board of Medical Examiners, Bradley O. Van Ry, Esq., has confirmed with Defense counsel that the Nevada State Board of Medical Examiners authorizes out-of-state

1 physicians to conduct Independent Medical Examinations within the State of Nevada, and has offered
2 to confer with this Court regarding the Board's position on this topic. Mr. Van Ry has offered to be
3 available by telephone beginning at 9:30 a.m., the scheduled time for this Court's Hearing, to discuss
4 this matter with the Court.

5
6 Walmart therefore respectfully requests that this Court allow Mr. Van Ry to participate
7 telephonically in the upcoming Hearing, to assist the Court in addressing this issue.

8 DATED this 6th day of September, 2012.

9 **PHILLIPS, SPALLAS & ANGSTADT LLC**


10 /s/ A. J. Sharp

11 A. J. SHARP, ESQ.
12 Nevada Bar No. 11457
13 504 South Ninth Street
14 Las Vegas, Nevada 89101
15 (702) 938-1510

16 *Attorneys for Defendant*
17 *Wal-Mart Stores, Inc.*

18 **IT IS ORDERED** that Mr. Van Ry may participate telephonically in the upcoming hearing
19 scheduled for 9:30 a.m. on September 11, 2012. Defense counsel is instructed to call Jeff Miller,
20 Courtroom Deputy, at (702) 464-5420 **before 4:00 p.m., 9/10/2012**, to indicate the telephone number
21 where Mr. Ry may be reached. The courtroom deputy will initiate the call for the hearing.

22 Dated this 7th day of September, 2012.

23 
24 Peggy A. Leen
25 United States Magistrate Judge
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of September, 2012, I served a true and correct copy of the foregoing, **DEFENDANT WAL-MART STORES, INC.'S SUPPLEMENT TO ITS REQUEST FOR JUDICIAL CONFERENCE REGARDING DISCOVERY DISPUTE (DOCKET FILING #20)**, by U.S. Mail, in a sealed envelope, first-class postage fully prepaid, addressed to the following counsel of record, at the address listed below:

ATTORNEY OF RECORD	TELEPHONE/FAX	PARTY
Jared B. Anderson, Esq. STOVALL & ASSOCIATES 3216 West Charleston Boulevard Suite B Las Vegas, NV 89102	Telephone: (702) 258-3034 Fax: (702) 258-0093	Plaintiff

/s/ A. J. Sharp

An Employee of PHILLIPS, SPALLAS & ANGSTADT LLC